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Advancement of women

France and Netherlands: draft resolution

Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolutions 61/143 of 19 December 2006, 62/133 of 18 December 2007, 63/155 of 18 December 2008, 64/137 of 18 December 2009 and 65/187 of 21 December 2010, and all its previous resolutions on the elimination of violence against women,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women,[1] the Convention on the Rights of the Child[2] and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

Reaffirming also the Vienna Declaration and Programme of Action,[3] the Declaration on the Elimination of Violence against Women,[4] the Beijing Declaration and Platform for Action,[5] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[6] the ministerial declaration of the high-level segment of the substantive session of 2010 of the Economic and Social Council,[7] the Council

[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[2] Ibid., vol. 1577, No. 27531. .
[3] A/CONF.157/24 (Part I), chap. III.
[4] See resolution 48/104.
[5] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[6] Resolution S-23/2, annex, and resolution S-23/3, annex.
[7] See *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 3*, (A/65/3/Rev.1), chap. III.F.

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of Europe Convention on preventing and combating violence against women and domestic violence and the declarations adopted at the forty-ninth[8] and fifty-fourth[9] sessions of the Commission on the Status of Women, and welcoming in that regard the decision of the Council that the priority theme at the fifty-seventh session of the Commission would be "Elimination and prevention of all forms of violence against women and girls",[10]

Reaffirming further the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration,[11] at the 2005 World Summit[12] and at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,[13] and noting the attention paid to the elimination of all forms of violence against indigenous women in the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the Assembly in its resolution 61/295 of 13 September 2007,

Recalling the inclusion of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court,[14] as well as the recognition by the ad hoc international criminal tribunals that rape and other forms of sexual violence can constitute a war crime, a crime against humanity or a constitutive act with respect to genocide or torture,

Recalling also Security Council resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009, 1889 (2009) of 5 October 2009 and 1960 (2010) of 16 December 2010 on women and peace and security and Council resolutions 1882 (2009) of 4 August 2009 and 1998 (2011) of 12 July 2011 on children and armed conflict,

Recalling further Human Rights Council resolution 20/6 of 5 July 2012 on the elimination of discrimination against women,[15] and Council resolution 20/12 of 5 July 2012 on accelerating efforts to eliminate all forms of violence against women: remedies for women who have been subjected to violence,[16]

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[8] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[9] See *Official Records of the Economic and Social Council, 2010, Supplement No. 7* and corrigendum (E/2010/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2010/232.

[10] See Economic and Social Council resolution 2009/15, para. 2 (d).

[11] See resolution 55/2.

[12] See resolution 60/1.

[13] See resolution 65/1.

[14] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[15] See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. IV, sect. A.

[16] Ibid.

Recalling the Guiding Principles on Business and Human Rights,[17] including with regard to the responsibility of transnational corporations and other business enterprises to respect human rights, recognition of the specific challenges that may be faced by women[18] and the need to pay special attention to both gender-based and sexual violence,[19]

Recognizing the importance of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the cooperation and coordination of UN-Women with all relevant United Nations entities,

Expressing its appreciation for the efforts and the high number of activities undertaken by the United Nations bodies, entities, funds and programmes and the specialized agencies, including by the Special Rapporteur on violence against women, its causes and consequences, the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General on Violence against Children, to eliminate all forms of violence against women,

Deeply concerned about the pervasiveness of violence against women and girls in all its different forms and manifestations, and reiterating the need to intensify efforts to prevent all forms of violence against women and girls throughout the world, to provide protection and services to all female victims and survivors and to reinforce the message that violence against women and girls is not tolerated,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between men and women and that all forms of violence against women seriously violate and impair or nullify the enjoyment by women and girls of all human rights and fundamental freedoms and constitute a major impediment to the ability of women to make use of their capabilities,

Recognizing also that women's poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of education and sustainable development, can place them at increased risk of violence, and that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Acknowledging the need to address violence against women and girls holistically, including through the recognition of linkages between violence against women and girls and other issues, such as HIV/AIDS, poverty eradication, food security, peace and security, humanitarian assistance, education, health, crime prevention and human trafficking, and stressing in that regard that full and effective implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[20] including the promotion of universal ratification and better implementation of the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations

[17] A/HRC/17/31, annex.

[18] Ibid., commentary to guiding principle 3.

[19] Ibid., guiding principle 7 (b).

[20] Resolution 64/293, annex.

Convention against Transnational Organized Crime,[21] will contribute to combating violence against women,

Expressing its appreciation for the efforts and the high number of activities undertaken by States to eliminate all forms of violence against women that have resulted in the strengthening of legislation and the criminal justice system, such as adopting national action plans, strategies and national coordination mechanisms, implementing prevention and protection measures, including awareness-raising and capacity-building, support and services for victims and survivors, and improving data collection and analysis,

Emphasizing that States should continue to adopt comprehensive legislation, in accordance with international human rights standards, that not only criminalizes violence against women and punishes the perpetrators, but also mandates prevention and protection for victims, and mechanisms and funding to ensure implementation,

Recognizing the important role of the family in combating violence against women and girls and the need to support its capacity to prevent and eliminate all forms of violence against women and girls,

Recognizing also the important role of the community, in particular men and boys, as well as civil society, in particular women's organizations, in the efforts to eliminate all forms of violence against women,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and constitutes a form of discrimination against women;

2. *Recognizes* that violence against women and girls persists in every country in the world as a pervasive violation of the enjoyment of human rights and a major impediment to achieving gender equality, development, peace and the internationally agreed development goals, in particular the Millennium Development Goals;

3. *Welcomes* the report of the Secretary-General[22] and the fact that Member States have responded to the request of the Secretary-General for information relating to the implementation of General Assembly resolution 65/187, and expresses the hope that Member States will continue to respond to subsequent requests of the Secretary-General;

4. *Also welcomes* the efforts and contributions at the local, national, regional and international levels to eliminate all forms of violence against women, including by the Committee on the Elimination of Discrimination against Women and the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences;

5. *Expresses its appreciation* for the progress achieved in the Secretary-General's 2008-2015 campaign "UNiTE to End Violence against Women" and the regional components of the campaign, and stresses the need to accelerate the implementation of concrete follow-up activities by the United Nations system to end all forms of violence against women;

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[21] United Nations, *Treaty Series*, vol. 2237, No. 39574.

[22] A/67/220.

6. *Welcomes* the contributions already made by States, the private sector and other donors to the United Nations Trust Fund in Support of Actions to End Violence against Women, while stressing the importance of further funding in order to meet the annual target of 100 million United States dollars by 2015;

7. *Strongly condemns* all acts of violence against women and girls, whether those acts are perpetrated or condoned by the State, by private persons, or by non-State actors, including transnational corporations and other business enterprises, and calls for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State;

8. *Stresses* that it is important that States strongly condemn all forms of violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;[4]

9. *Calls upon* all States to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices that are based on the idea of the inferiority of either of the sexes or on stereotyped roles for men and women;

10. *Stresses* that States have the obligation, at all levels, to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls, to eliminate impunity and to ensure the enforcement of protective obligations, including adequate enforcement by police and the judiciary of civil remedies and criminal sanctions for violence against women and provision of services such as shelters, so as to provide victims with the means to avoid revictimization, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

11. *Reaffirms* that the persistence of armed conflicts in various parts of the world is a major impediment to the elimination of all forms of violence against women, and, bearing in mind that armed and other types of conflicts and terrorism and hostage-taking still persis. in many parts of the world and that aggression, foreign occupation and ethnic and other types of conflicts are an ongoing reality, affecting women and men in nearly every region, calls upon all States and the international community to place particular focus on the plight, and give priority attention and increased assistance to relieving the suffering of, women and girls living in such situations and to ensure that, where violence is committed against them, all perpetrators of such violence are duly investigated and, as appropriate, prosecuted and punished in order to end impunity, while stressing the need to respect international humanitarian law and human rights law;

12. *Stresses* that, despite important steps taken by many countries around the world, States should continue to focus on the prevention of violence against women and its causes and consequences as well as on the protection of victims and survivors and the provision of services to address this need, in order to complement more effectively the improved legal and policy frameworks, and should therefore monitor and rigorously evaluate the implementation of available programmes, policies and laws and improve, where possible, their impact and effectiveness;

13. *Also stresses* that States should take measures to ensure that all officials responsible for implementing policies and programmes aimed at preventing violence against women and girls, protecting and assisting the victims and investigating and punishing violence against women and girls receive continuous training to sensitize them to the different and specific needs of women and girls, in particular those who have been subjected to violence, so that women and girls are not revictimized when seeking justice and redress;

14. *Further stresses* that States should take all possible measures to empower women, inform them of their rights, the law and the protection and legal remedies it offers, including by disseminating information on the assistance available to women and families who have experienced violence, and ensuring that timely and appropriate information is available to all women who have been subjected to violence, at all levels of the justice system, and inform everyone of women's rights and of the existing penalties for violating those rights;

15. *Calls upon* States, with the support of United Nations entities, to fully engage men and boys, as well as families and communities, as agents of change in protecting women and girls against violence;

16. *Urges* States to continue to develop their national strategy, translating it into concrete programmes and actions, and a more systematic, comprehensive, multisectoral and sustained approach, aimed at eliminating all forms of violence against women, including by achieving gender equality and the empowerment of women, and by increasing the focus on prevention and protection in laws, policies and programmes and their implementation, monitoring and evaluation, so as to ensure the optimal use of available instruments, by, for example:

(a) Establishing, in partnership with all relevant stakeholders and at all relevant levels, a comprehensive integrated national plan dedicated to combating violence against women and girls in all its aspects, which includes data collection and analysis, and prevention and protection measures, as well as national information campaigns, using resources to eliminate in the media gender stereotypes that lead to violence against women and girls;

(b) Reviewing and, where appropriate, revising, amending or abolishing all laws, regulations, policies, practices and customs that discriminate against women or have a discriminatory impact on women, and ensuring that the provisions of multiple legal systems, where they exist, comply with international human rights obligations, commitments and principles, including the principle of non-discrimination;

(c) Evaluating and assessing the impact of current legislation, rules and procedures regarding violence against women and the reasons for low reporting, reinforcing, where necessary, criminal law and procedure relating to all forms of violence against women and, where necessary, incorporating into law measures aimed at preventing violence against women and protecting women who have fallen victim to violence;

(d) Promoting awareness among all stakeholders of the need to combat violence against women, and promoting gender equality and the empowerment of women, inter alia, through regular and repeated use and funding of awareness-raising campaigns throughout all areas of the country and other ways to promote prevention and protection, such as international, regional and national conferences,

seminars, training, publications, brochures, websites, audiovisual material, social media, television and radio spots, and debates, as appropriate;

(e) Ensuring that there is sufficient knowledge, including expertise in effective legal approaches to eliminating violence against women and girls, awareness and coordination in the legal system and, to that end, where appropriate, appointing a focal point in the legal system for cases of violence against women and girls;

(f) Also ensuring the systematic collection and analysis of data to monitor all forms of violence against women, including on the effectiveness of measures to prevent such violence and protect the victims, with the involvement of national statistical offices and, where appropriate, in partnership with other actors, in order to review and implement effectively laws, policies, strategies and preventive and protection measures, while ensuring and maintaining the privacy and confidentiality of the victims;

(g) Establishing appropriate national mechanisms for monitoring and evaluating the implementation of national measures, including national action plans, taken to eliminate violence against women, including through the use of national indicators;

(h) Providing adequate financial support for the implementation of national action plans to end violence against women and other relevant activities;

(i) Allocating adequate resources to promote the empowerment of women and gender equality and to prevent and redress all forms and manifestations of violence against women;

(j) Adopting all appropriate measures, especially in the field of education, from the entry levels of the education system, to modify the social and cultural patterns of conduct of men and women of all ages, in order to promote the development of respectful relations and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women, and by raising awareness of the unacceptability of violence against women and girls at all levels, including through schools, teachers, parents, youth organizations and teaching materials sensitized on gender equality and human rights, and to ensure that environments, communities and schools are safe for women and girls;

(k) Promoting early interventions with families and children exposed to or at risk of violence, such as parenting education programmes, to reduce the risk of possible perpetration of violence or revictimization in adulthood;

(l) Empowering women, in particular women living in poverty, by, inter alia, strengthening their economic autonomy and by ensuring their full participation in society and in decision-making processes, through, inter alia, social and economic policies that guarantee them full and equal access to all levels of quality education and training and to affordable and adequate public and social services, as well as equal access to financial resources and employment, and full and equal rights to own and have access to land and other property, and taking further appropriate measures to address the increasing rate of homelessness of and inadequate housing for women in order to reduce their vulnerability to violence;

(m) Setting up outreach programmes and providing relevant information to women about gender roles, women's human rights and the social, health, legal and

economic aspects of violence against women in order to empower women to protect themselves and their children against all forms of violence;

(n) Treating all forms of violence against women and girls as a criminal offence, punishable by law, contributing, inter alia, to the prevention and non-recurrence of such crimes, and ensuring penalties commensurate with the severity of the crimes and sanctions in domestic legislation to punish, and redress, as appropriate, the wrongs caused to women and girls who are subjected to violence;

(o) Taking effective measures to prevent the victim's consent from becoming an impediment to bringing perpetrators of violence against women and girls to justice, while ensuring that criminal justice processes are gender-sensitive and that appropriate safeguards and measures to protect the victim, such as restraining and expulsion orders, and adequate and comprehensive measures for the rehabilitation and reintegration of victims of violence into society are in place;

(p) Encouraging the removal of all barriers to women's access to justice and ensuring that effective legal assistance is provided to all female victims of violence so that they can make informed decisions regarding, inter alia, legal proceedings and issues relating to family law, and also ensuring that victims have access to just and effective remedies for the harm that they have suffered, including through the adoption of national legislation where necessary;

(q) Ensuring effective cooperation and coordination among all stakeholders, including all relevant public officials and civil society, in the prevention, non-recurrence, investigation, prosecution and punishment of all forms of violence against women and girls;

(r) Developing or improving and disseminating specialized training programmes, including practical tools and good-practice guidelines on how to identify, prevent and deal with cases of violence against women and girls and on how to protect and assist victims in an impartial and effective manner, for all stakeholders responsible for dealing with violence against women and girls, its causes and consequences, including police officers, the judiciary, health workers, law enforcement personnel and civil society, and engaging statisticians and the media;

(s) Strengthening national health and social infrastructure to reinforce measures to promote women's equal access to public health care, including sexual and reproductive health, and address the health consequences of all forms of violence against women and girls, including by providing support to victims;

(t) Providing immediate protection and support through the establishment of or support to integrated centres, available also in rural areas, through which shelter, legal, health, psychological, counselling and other services are available to all female victims of violence and their children, and, where such centres are not yet feasible, promoting collaboration and coordination among agencies, in order to make remedies more accessible and to facilitate the physical, psychological and social recovery of victims, and ensuring that all victims have access to such services;

(u) Establishing or supporting national hotlines or helplines that provide information, counselling, support and referral services to victims;

(v) Ensuring that the prison system and probation services provide appropriate rehabilitation programmes for perpetrators, as a preventive tool against recidivism and, further, ensuring that appropriate measures are taken to set up or support programmes aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships and that, where appropriate, these programmes are set up and implemented in close coordination with specialist support services for victims;

(w) Supporting and engaging in partnerships with non-governmental organizations, in particular women's organizations, and other relevant actors and the private sector to end violence against women and girls and to protect and support victims and witnesses;

17. *Calls upon* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and gender equality in order to enhance national efforts to eliminate violence against women and girls, including, upon request, in the development and implementation of national action plans on the elimination of violence against women and girls, through, inter alia, official development assistance and other appropriate assistance, such as facilitating the sharing of guidelines, methodologies and best practices, taking into account national priorities;

18. *Stresses* the contribution of the ad hoc international criminal tribunals and the International Criminal Court to ending impunity, by ensuring accountability and punishing perpetrators of violence against women, and urges States to consider ratifying or acceding as a matter of priority to the Rome Statute of the International Criminal Court,[14] which entered into force on 1 July 2002;

19. *Calls upon* the inter-agency Programme Appraisal Committee of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, in consultation with the Inter-Agency Network on Women and Gender Equality, to continue to provide guidance on the implementation of the 2010-2015 strategy for the Trust Fund and to further enhance its effectiveness as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls and to give due consideration, inter alia, to the findings and recommendations of the external evaluation of the Trust Fund;

20. *Stresses* that, within the United Nations system, adequate resources should be assigned to UN-Women and other bodies, specialized agencies, funds and programmes responsible for the promotion of gender equality and women's rights and to efforts throughout the United Nations system to prevent and eliminate violence against women and girls, and calls upon the United Nations system to make the necessary support and resources available;

21. *Also stresses* the importance of the Secretary-General's database on violence against women, expresses its appreciation to all the States that have provided the database with information regarding, inter alia, their national policies and legal frameworks aimed at eliminating violence against women and supporting victims of such violence, strongly encourages all States to regularly provide updated information for the database, and calls upon all relevant entities of the United Nations system to continue to support States, at their request, in the compilation and

regular updating of pertinent information and to raise awareness of the database among all relevant stakeholders, including civil society;

22. *Welcomes* the work of the United Nations Statistics Division on the production of statistics on violence against women, and looks forward to the final version of the draft guidelines for producing statistics on violence against women: a statistical survey, submitted to the Consultative Meeting to Review the Draft Guidelines for Producing Statistics on Violence against Women, held in Beirut from 8 to 10 November 2011;

23. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia, through use of the manual on joint programming,[23] prepared by the Inter-Agency Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality, which was converted to the Standing Committee on Violence Against Women at the tenth session of the Inter-Agency Network,[24] with a view to increasing effective support for national efforts to eliminate all forms of violence against women;

24. *Requests* the Special Rapporteur on violence against women, its causes and consequences to present an annual report to the General Assembly at its sixty-eighth and sixty-ninth sessions;

25. *Requests* the Secretary-General to submit to the General Assembly at its sixty-ninth session a report containing:

(a) Information provided by the United Nations bodies, funds and programmes and the specialized agencies on their follow-up activities to implement resolution 65/187 and the present resolution, including on their assistance to States in their efforts to eliminate all forms of violence against women;

(b) Information provided by States on their follow-up activities to implement the present resolution;

26. *Also requests* the Secretary-General to present an oral report to the Commission on the Status of Women at its fifty-seventh and fifty-eighth sessions including information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolutions 64/137 and 65/187 and the present resolution, including on the progress made in enhancing the effectiveness of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women as a system-wide United Nations mechanism and on the progress of the Secretary-General's campaign to end violence against women, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to that report;

27. *Decides* to continue the consideration of the question at its sixty-ninth session under the item entitled "Advancement of women".

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[23] "Initiating the Multi-Stakeholder Joint Programme on Violence Against Women: a review of the processes and some key interim lessons learned" (New York, United Nations Population Fund Technical Division, 2011).

[24] See IANWGE/2011/REPORT, p. 21.